

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALFONSO CIOLINO,

*

Plaintiff,

*

v.

*

Civil Action No. 13-cv-13300-ADB

AARON EASTMAN, DAVID EARLE, and
GEORGE GIKAS,

*

*

*

Defendants.

*

VERDICT FORM

QUESTION 1:

a. Has Plaintiff proved, by a preponderance of the evidence, that any of the defendants violated his Fourth Amendment right to be free from excessive force?

Defendant Aaron Eastman: Check one: Yes _____ No ✓ _____

Defendant David Earle: Check one: Yes _____ No ✓ _____

Defendant George Gikas: Check one: Yes ✓ _____ No _____

If you answered "yes" as to any of the defendants in question 1(a), please go on to address those defendants in question 1(b). If you answered "no" as to all defendants in question 1(a), please move directly to question 2.

b. Did any of the defendants' unconstitutional actions described in question 1(a) proximately cause any injury or harm to Plaintiff?

Defendant Aaron Eastman: Check one: Yes _____ No ✓ _____

Defendant David Earle: Check one: Yes _____ No ✓ _____

Defendant George Gikas: Check one: Yes ✓ _____ No _____

If you answered "yes" as to any of the defendants in question 1(b), please go on to question 1(c). If you answered "no" as to all defendants in question 1(b), please move directly to question 2.

c. What amount of money will fairly and adequately compensate Plaintiff for any injuries proximately caused by the defendants' actions described in question 1(a)?

one hundred forty thousand dollars
(write in words)

\$ 140,000. 00
(write in numbers)

d. If you awarded Plaintiff compensatory damages in Question 1(c), is the Plaintiff entitled to prejudgment interest on those damages?

Check one: Yes _____ No ✓ _____

QUESTION 2

a. Has Plaintiff proved, by a preponderance of the evidence, that any of the Defendants are liable for malicious prosecution?

Defendant Aaron Eastman: Check one: Yes _____ No ✓

Defendant David Earle: Check one: Yes _____ No ✓

Defendant George Gikas: Check one: Yes _____ No XX XX XX ✓

If you answered "yes" as to any of the defendants in question 2(a), please go on to address those defendants in question 2(b). If you answered "no" as to all defendants in question 2(a), please move directly to question 3.

b. Did any of the defendants' unlawful actions described in question 2(a) proximately cause any injury or harm to Plaintiff?

Defendant Aaron Eastman: Check one: Yes _____ No _____

Defendant David Earle: Check one: Yes _____ No _____

Defendant George Gikas: Check one: Yes _____ No _____

If you answered "yes" as to any of the defendants in question 2(b), please go on to question 2(c). If you answered "no" as to all defendants in question 2(b), please go on to question 3.

c. What amount of money will fairly and adequately compensate Plaintiff for any injuries proximately caused by the defendants' actions described in question 2(a)?

(write in words)

\$ _____
(write in numbers)

QUESTION 3: If you found (in Question 1(a)) that any of the Defendants violated Mr. Ciolino's Fourth Amendment right to be free from excessive force, please answer the following additional questions. If you answered "no" as to all Defendants in Question 1(a), your deliberations are now complete. Please skip the remainder of these questions.

a. Did Mr. Ciolino fail to comply with any orders from law enforcement officers immediately prior to his arrest?

Check one: Yes No _____

b. Did the Defendants have probable cause to arrest Mr. Ciolino on the night in question?

Check one: Yes No _____

c. Was Mr. Ciolino taunting or inciting any of the K9 dogs immediately prior to his arrest?

Check one: Yes No _____

d. Was Mr. Ciolino inciting the surrounding crowd immediately prior to his arrest?

Check one: Yes _____ No _____

January 25, 2016

Date


Linda Cole

Foreperson